

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

|                          |   |                   |
|--------------------------|---|-------------------|
| UNITED STATES OF AMERICA | ) |                   |
|                          | ) | CR No. 18-2945-WJ |
| v.                       | ) |                   |
|                          | ) |                   |
|                          | ) | PROTECTIVE ORDER  |
|                          | ) | WITH RESPECT TO   |
| JANY LEVEILLE,           | ) | CERTAIN DISCOVERY |
| SIRAJ WAHHAJ,            | ) |                   |
| HUJRAH WAHHAJ,           | ) |                   |
| SUBHANAH WAHHAJ, and     | ) |                   |
| LUCAS MORTON,            | ) |                   |
|                          | ) |                   |
| Defendants.              | ) |                   |

This matter came before the Court on the United States' motion ("Government Motion"), exhibits, and the declaration of a Government official (collectively, "Government Submission"). The Government Submission was filed *ex parte, in camera* and through the Classified Information Security Officer on June 15, 2023.

The Government Submission sought a protective order, pursuant to Section 4 of the Classified Information Procedures Act ("CIPA"), 18 U.S.C. App. 3, and Rule 16(d)(1) of the Federal Rules of Criminal Procedure, regarding disclosure of certain information. After *ex parte, in camera* consideration of the Government Submission, the Court finds:

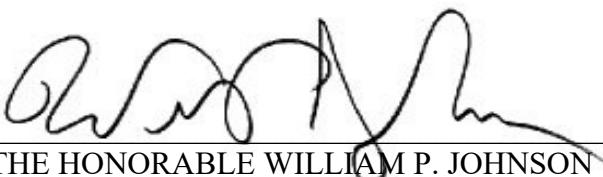
1. That the Government Submission contains and describes classified information that requires protection from unauthorized disclosure. That information is described with particularity in the Government Submission.

2. Disclosure of the classified information described in the Government Submission to the defense or the public could reasonably be expected to cause serious damage to the national security.
3. The classified information described in the Government Submission is not discoverable under *Brady v. Maryland*, 373 U.S. 83 (1963), and its progeny, or Rule 16 of the Federal Rules of Criminal Procedure. In addition, the classified information described in the Government Submission is not helpful to the defense, that is, useful to counter the Government's case or to bolster a defense, as required under *United States v. Muhtorov*, 20 F.4th 558, 629 (10th Cir. 2021).

Accordingly, it is:

ORDERED that the Government Motion is granted, and the classified information described in the Government Submission need not be disclosed to the defense; and it is further ORDERED that the Government Submission is hereby sealed, and shall remain preserved in the custody of the Classified Information Security Officer, in accordance with established court security procedures, until further order of this Court.

SO ORDERED in Chambers this 2nd day of August, 2023.



THE HONORABLE WILLIAM P. JOHNSON  
United States Chief District Judge  
District of New Mexico